

ROBERT W. THOMPSON, Esq. (SBN 106411)
CHARLES S. RUSSELL, Esq. (SBN 219934)
CALLAHAN, THOMPSON, SHERMAN

& CAUDILL, LLP
2601 Main Street, Suite 800
Irvine, California 92614
Tel.: (949) 261-2872
Fax: (949) 261-6060
Email : rthompson@ctsclaw.com
Email : crussell@ctsclaw.com

Attorneys for Plaintiffs,
KAI CHANDLER et al (see signature page for full listing)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

KAI CHANDLER, et al.

Plaintiffs,

vs.

WELLS FARGO & COMPANY, a
Delaware corporation; WELLS FARGO
HOME MORTGAGE, INC., a
California corporation, WELLS
FARGO BANK, N.A., and DOES 1 –
10, inclusive,

Defendants.

Case No.: C11-3841 EMC
JUDGE EDWARD M. CHEN
COURTROOM: 5
COMPLAINT DATE: 08/04/11

**JOINT CASE MANAGEMENT
CONFERENCE STATEMENT
ORDER RESETTING CMC**

CMC Date: 3/2/2012
Time: 10:30 a.m.
Courtroom: 5
Judge: Hon. Edward M. Chen

///

///

Pursuant to the Court's November 7, 2011 Civil Minutes (Docket # 17, entered in Case 3:10-cv-02678 EMC), Defendant Wells Fargo and Plaintiffs in the *Chandler* action (Case C11-3841 EMC) hereby submit this joint Case Management Conference Statement.

CASE STATUS

The *Chandler* matter involves claims by individual plaintiffs who worked as Home Mortgage Consultants for defendant Wells Fargo, and alleges unpaid overtime wages pursuant to the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.* The plaintiffs in the *Chandler* matter were either involved in the prior MDL action *In Re Wells Fargo Overtime Litigation* as class members prior to the class being decertified as part of a settlement, or worked for Wells Fargo after the class period in the prior action.

On December 6, 2011, this Court terminated the MDL action. (Docket # 18 (all docket entries refer to the *Chandler* matter unless otherwise indicated).) On January 9, 2012, Plaintiffs filed a second administrative motion to determine whether this case is related to other individual cases that were once associated with the MDL, which Wells Fargo did not oppose. (Docket # 24 in *Aiello v. Wells Fargo Bank NA*, case 3:10-cv-00744-EMC.) This Court ordered the *Chandler* case related to the other individual cases on January 11, 2012. (Docket # 19.)

All parties have been served and have answered, and no trial date has been set. On plaintiff, George Turner, filed a Stipulation of Dismissal of his claims. (Docket # 21.)

SETTLEMENT DISCUSSIONS

At the last Case Management Conference on November 11, 2011, the parties to the *Chandler* action informed the Court they were working together cooperatively in an attempt to settle the matter. The Court placed limitations on discovery to assist with settlement discussions, and set a further Case Management Conference for March 2, 2012. (Docket # 20.)

1 Since the last Case Management Conference, the parties have continued to
 2 work together toward settlement. After the last Case Management Conference,
 3 Plaintiffs informally requested certain data from Wells Fargo necessary for
 4 settlement discussions, including dates of employment and compensation
 5 information. On February 22, 2012, Wells Fargo produced such data for
 6 approximately 35 of the 57 remaining plaintiffs in the *Chandler* matter. Wells Fargo
 7 is in the process of gathering the data for the remaining plaintiffs.

8 As the parties are continuing to work together cooperatively toward
 9 settlement, the parties request that the Court set a further Case Management
 10 Conference for 90 to 120 days out in order to give the parties sufficient time to
 11 complete their discussions.

12
 13 The filer attests that concurrence in the filing of the document has been
 14 obtained from each of the other signatories.

15
 16 DATED: February 23, 2012

**CALLAHAN, THOMPSON, SHERMAN
& CAUDILL, LLP**

17
 18
 19 By /s/ Charles S. Russell
 20 ROBERT W. THOMPSON
 21 CHARLES S. RUSSELL
 22 **CALLAHAN, THOMPSON, SHERMAN**
 23 **& CAUDILL, LLP**
 24 2601 Main Street, Suite 800
 25 Irvine, California 92614
 26 Tel.: (949) 261-2872
 27 Fax: (949) 261-6060
 28 Email : rthompson@ctsclaw.com
 Email : crussell@ctsclaw.com
 Attorneys for Plaintiff
**GEORGE TURNER (and all other
 plaintiffs)**

1 DATED: February 23, 2012

LITTLER MENDELSON, P.C.

2
3 By /s/ Lindbergh Porter

LINDBERGH PORTER

LITTLER MENDELSON, P.C.

650 California Street, 20th Floor

San Francisco, CA 94108-2693

Tel.: (415) 399-8445

Fax: (415) 743-6541

Email : lporter@littler.com

Attorneys for Defendants

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
**WELL FARGO & COMPANY, WELLS
FARGO HOME MORTGAGE, INC., and
WELLS FARGO BANK, N.A.**

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was filed electronically and notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's EM/ECF System.

February 23, 2012

/s/ Charles S. Russell

Charles S. Russell

G:\PLF\0110002\Pldgs\CMC Statement 3-2-12.doc

IT IS SO ORDERED that the Further CMC is reset from 3/2/12 to 6/22/12 at 10:30 a.m. An updated joint CMC Statement shall be filed by 6/15/12.

Edward M. Chen
U.S. District Judge

